Creamy Layer in OBCs

2228. SHRI K.R. MALKANI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) how the creamy layer of backward classes has been defined by various States;

(b) whether Government have laid down any guidelines for the State in this regard;

(c) the judicial findings in the matter and

(d) the present position in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) to (d) The Supreme Court in its judgement in Indira Sawhney and others etc. V/s Union India and others etc. delivered on 16th November 1992 *inter-alia* directed;

Within four months from today the Government of India shall specify the applying the relevant and requisite socio-economic criteria to exclude so advanced persons/sections (Creamy Layer) from Other Backward Classes implementation of the impugned O.M. dated 13th August 1990 shall be subject to exclusion of such socially advanced persons (Creamy Layer).

This direction shall not however apply to States where reservations in favour of backward classes are already in operation. They continue to operate them. Such States shall however evolve the said c: within; 6 months from today and apply the same to exclude the socially add persons /sections from the designated "Other Backward Classes".

As per flrrections of the Hon'ble Supreme Court, the criteria determining Creamy Layer amongst OBCs for the purpose of reservation in Central Government posts and services was laid down vide O.M. No. 36012/22/93-Estt(SCT), dated 08.09.93. This criteria is still valid for applying rules exclusion amongst OBCs.

National Commission for SCs /STs

2229. CHAUDHARY CHUNNI LAL: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) what was the constitution of the National Commission for SCs/STs as in October, 1996 who is the Chairman and who are the members;

(b) when their term is expiring so as to reconstitute it after assessment of its functioning;

(c) how many cases the Commission has dealt with from October, 1996 till December, 1997 and how many have been finalised with result thereof;

(d) whether Government feel that the Commission is really doing the work to extend genuine relief to those who deserves it; and

(e) whether it is not necessary to strengthen it and make it really effective?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) and (b) Details of Chairman and Members of the National Commission for Scheduled Castes and Scheduled Tribes is as below:

SI. No.	Name	Term expiring on
1.	Shri H. Hanumanthappa, Chairman	8.10.98
2.	Smt. Omem Moyong Dcori, Vice-Chairperson	4.10.98
3.	Shri Narsingh Baitha, Member	8.10.98
4.	Ven. Lama Lobzang, Member	5.10.98
5.	Shri Narcsh Chandra Chaturvedi, Member	8.10.98
6.	Shri B. Yadaiah, Member	8.10.98
7.	Shri Anand Mohan Biswas, Member	9.10.98

(c) As per information received from the National Commission for Scheduled Castes and Scheduled Tribes the Commission dealt with 9626 cases from October, 1996 to December, 1997 of which 3365 cases were finalised within this period.

(d) Yes, Sir.

(e) The Commission is already discharging its functions effectively.

Hostels for SC Girls in Maharashtra

2230. MISS SAROJ KHAPARDE: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) total number of hostels for SC girls established far in the State of Maharash tra under the Centrals Scheme with details thereof, district-wise;

(b) how many SC girls arc being benefited from such hostels as on date;

(c) whether it is a fact that SC girls hostels arc not getting proper attention in the State; and

(d) the remedial measures Government propose to take to improve the situation?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) to (d) The information is being collected and will be laid on the Table of the House. Rehabilitation of Scavengers In Maharashtra

2231. MISS SAROJ KHAPARDE: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether National Scheme of Liberation of Scavengers and their dependents is being implemented in Maharashtra;

(b) it so. the details thereof for the last three years and funds released to the State for scavengers and scavenger families liberated from the inhuman practice of scavenging during the said period, year-wise; and

(c) how many sccavenger families are yet to be liberated in the State and action being taken by Government in that direction?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) Yes, Sir.

(b) The year-wise information is as under:

Year	Fund released (Rs. in crores)	No. of Scavenger liberated
1995-96	5.80	3094
1996-97	Nil	1442
1997-98	Nil	2294

(c) 6354 scavengers are yet to be liberated and efforts are being made to finance all the families in the stipulated period through Nationalised Banks.

Notification of People under Disability Act, 1995

2232. SHRI R. MARGABANDU: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state by when Government will notify all the clauses of People with Disability Act, 1995 (Act No. 1 of 1996) in the official gazzcttce and bring the same into force?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT(SHRIMATI MANEKA GANDHI): In exercise of the powers conferred by sub-section (3) of Section 1 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full participation) Act, 1995 (1 of 1996), the Central Government vide the Gazettee of India S.O. No. 107 (E), dated 7th February, 1996 has already notified the 7th day of February, 1996 as the date on which the provisions of the said Act has come into force.